

**TELEPHONE CONFERENCE
PROFESSIONAL SOIL SCIENTISTS SECTION
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS,
HYDROLOGISTS AND SOIL SCIENTISTS
MINUTES
MADISON, WISCONSIN
MONDAY, MARCH 11, 2002**

PRESENT: Tracy Benzel, Jerry Tyler and Robert Wendt

EXCUSED: Wayne Lindgren

STAFF PRESENT: Katharine Hildebrand, Mary Forseth, Grace Schwingel and Bill Black

CALL TO ORDER

Tracy Benzel called the meeting to order at 9:38 a.m. A quorum of three members was present.

AGENDA

Under Administrative Rules, the Section added a discussion of the DATCAP rule that omitted soil scientists.

MOTION: Jerry Tyler moved, seconded by Robert Wendt, to approve the agenda as amended. Motion carried unanimously.

MINUTES (12/12/00)

MOTION: Jerry Tyler moved, seconded by Robert Wendt, to approve the minutes as published. Motion carried unanimously.

ELECTION OF OFFICERS

MOTION: Robert Wendt moved, seconded by Jerry Tyler, to retain the current elected officers of the Section. Motion carried unanimously.

ADMINISTRATIVE REPORT

Katharine Hildebrand, Bureau Director

Katharine introduced the new Bureau Director, Mary Forseth, to the Section members. Mary gave the Section members a brief summary of her professional background. Mary has most recently been working for the Department in a Policy Advisor position coordinating the Department's reorganization of the licensing process. Mary worked for the Department of Transportation for 24 years, and worked in the private sector for an Internet company for two years, before returning to state service at the Department of Regulation & Licensing one and a half years ago.

- **Section Roster**

The Section Roster was approved. Jerry Tyler's term ends on July 1, 2002. His replacement, Jon H. Gurntow, who was recently confirmed, will begin his term July 1, 2002.

- **Welcome Robert Wendt, Professional Member**

Katharine introduced Robert Wendt, who then gave a brief summary of his professional background. Robert went to graduate school at the University of Wisconsin. He has worked at the Water Resources Center, USDA at the North Central Watershed Research Unit and has done consulting work for several different companies. Robert is currently working in a company he and a partner started in 1993.

- **2002 Section Meeting Dates**

There was a brief discussion as to how many meetings are required a year. Legal Counsel, Bill Black, reported that the Joint Board and the Section must meet twice a year.

LEGISLATIVE UPDATE

Discussion of AB 358 on Defining Incidental Practice

There was a discussion concerning the definition of incidental practice and criteria to be used to determine what would be considered to be incidental practice. The Section finally agreed that it would be difficult to address every possible scenario that could feasibly arise and that it would be best to regulate incidental practice, on a case-by-case basis, through the Department's complaint process with the Division of Enforcement.

ADMINISTRATIVE RULES

There was a lengthy discussion of the DATCAP rule that omitted soil scientists, ATCP 50, or Clearinghouse Rule 01-090. Legal Counsel, Bill Black, informed the Section that the lack of continuing education issue raised by DATCAP is irrelevant to the rule.

Mary Forseth will call an aide for the Joint Committee for Review of Administrative Rules (JCRAR) to determine the status of the rule.

The Section agreed that it should have continuing education requirements and will propose this to the Joint Board. Black clarified that continuing education can be defined by rule. Black also advised the Section on the procedure to follow to have continuing education requirements provided for the Soil Scientists Section.

Mary Forseth will e-mail the Section members so they can respond to her via e-mail on various issues.

The Section would like to continue the Legislative Liaison Committee to keep communication open between the agencies dealing with issues related to soil science. Some new people may need to be included in this committee.

Some items to be added to Thursday's Joint Board meeting were discussed.

MOTION: Jerry Tyler moved, seconded by Robert Wendt, to approve Tracy Benzel to write a draft letter to the appropriate members of the Joint Committee for Review of Administrative Rules, indicating that the Section objects to CR 01-090, and would like to have a hearing on this issue. Motion carried unanimously.

Tracy Benzel will send a draft of a letter to Forseth by e-mail and Forseth will review the letter with the Department's legislative liaison, Myra Shelton. Benzel will also contact Boards from other states to gather information on how they are dealing with cases involving soil science.

SECTION MEMBER ACTIVITY

Jerry gave a brief report on the National Exam Board. The Section will need a new representative beginning July 1, 2002 to attend this meeting. Every state that uses the certified exam for their licensing has a representative on the examining board.

SOIL SCIENCE SOCIETY OF AMERICA

None

PRACTICE ISSUES

None

EXAMINATION ISSUES

Soil Scientists Exam Protocols

The Section had a question regarding whether an individual could take an exam in another state and still have their exam score recognized in Wisconsin. Forseth will invite Darwin Tichenor in the Exam Office to respond to this question at Thursday's Joint Board meeting on March 14, 2002.

Currently ARCPAC gives the exam twice a year around the country. Jerry Tyler proposed that the Section endorse this exam to qualify for Wisconsin licensure.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

None

NEW BUSINESS

None

CLOSED SESSION

The Section did not convene into closed session; there were no cases to review in closed session.

RECONVENE TO OPEN SESSION

Nothing to report

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

Nothing to report

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

Nothing to report

ADJOURNMENT

MOTION: Jerry Tyler moved, seconded by Robert Wendt, to adjourn the meeting at 11:10 a.m. Motion carried unanimously.

Next Meeting: Tuesday, June 25, 2002

DATE: March 18, 2002
TO: Mary Forseth
FROM: Grace Schwingel
SUBJECT: SOIL SCIENTISTS BOARD MEETING MARCH 11, 2002, TO DO LIST

1. **Mary Forseth** will call the Capitol to find out where the ATCP 50.48 rule is in the legislative process.
2. **Mary Forseth** will send each of the Section members an e-mail message with a hello message for them to respond to.
 - **Jerry Tyler** will e-mail Mary Forseth a website address for tracking where a law is in the legislative process.
 - **Tracy Benzel** will e-mail a draft of a letter on the Section's opposition of the DATCAP 50.48 rule to Mary Forseth and **Mary** will review the letter with the Department's legislative liaison, Myra Shelton.
3. Items to add to the Agenda of the Joint Board meeting on Thursday, March 14, 2002:
 - a) Soil Scientists Section will request continuing education code modification.
 - b) Benzel will verbally request the Board's authorization for the scope statement, reporting the Section's position - "We authorize the Department to file a scope statement so the Soil Scientists Section/Board can write a continuing education rule."